



SAT-STA-20031219-00369
Sirius Satellite Radio Inc.

COPY

1221 Avenue of the Americas
New York, NY 10020
tel// 212.584.5100
fax// 212.584.5200
sirius.com

FCC/MELLON

DEC 19 2003

December 18, 2003

VIA HAND DELIVERY

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554



File # SAT-STA-20031219-00369

Call Sign _____ Grant Date 09/15/10
(or other identifier)

Term Dates see conditions
From 09/15/10 To: _____

Approved: Stephen J. Duall
Stephen J. Duall
Chief, Satellite Policy Branch

**Re: Sirius Satellite Radio Inc.
Request to Extend Special Temporary Authority to Operate In-Store Signal Boosters in the Satellite Digital Audio Radio Service
File No. SAT-STA-20030411-00075**

Dear Ms. Dortch:

Pursuant to Section 25.120 of the Federal Communications Commission's ("FCC" or "Commission") Rules,¹ Sirius Satellite Radio Inc. ("Sirius") hereby requests an extension of its Special Temporary Authority ("STA") to operate up to 5000 in-store signal boosters with an Effective Isotropically Radiated Power ("EIRP") of 0.0001 watts in its licensed frequency band (2320-2332.5MHz) at retail outlets and satellite radio installers. Sirius requests that the Commission renew its STA for a period of 180 days or until the Commission issues a blanket license for these boosters. Attached is an FCC Form 159 containing the relevant credit card payment information for the requisite filing fee. Also accompanying the request is an executed Anti-Drug Abuse Act certification. As Sirius's extension request is timely, Sirius understands that, pursuant to Section 1.62 of the FCC's Rules, its STA will continue in effect without further action by the Commission until such time as the Commission shall make a final determination with respect to its request.²

Sirius currently operates in-store signal boosters in its licensed frequency band (2320-2332.5 MHz) pursuant to the STA granted by the International Bureau on June 26, 2003. Sirius uses these signal boosters, which are essentially S-band radio frequency amplifiers, to receive and amplify satellite and terrestrial signals inside of retail stores and satellite radio installers, where such transmissions are attenuated,

¹ 47 C.F. R. § 25.120.

² See 47 C.F.R. § 1.62



Attachment to Grant
Application of Sirius XM Radio Inc. for Special Temporary Authority
IBFS File Nos. SAT-STA-20020312-00048, SAT-STA-20031219-00369, SAT-STA-20040623-00119,
SAT-STA-20040623-00122, SAT-STA-20050301-00053, SAT-STA-20070710-00097, SAT-STA-
20081020-00206

Special temporary authority (STA) is granted to Sirius XM Radio Inc. (Sirius XM), for a period of 180 days, to continue to operate previously authorized terrestrial repeaters for use in the 2320-2345 MHz frequency band, as set forth in the above-referenced applications. This authorization is granted according to the technical parameters specified in these applications and is subject to the conditions below.

1. Any actions taken as a result of these STAs are solely at the applicant's own risk. These STAs shall not prejudice the outcome of the final rules adopted by the Commission in IB Docket No. 95-91.

2. SDARS terrestrial repeaters are restricted to the simultaneous retransmission of the complete programming, and only that programming, transmitted by the SDARS licensee's satellite(s) directly to the SDARS licensee's subscribers' receivers, and may not be used to distribute any information not also transmitted to all subscribers' receivers.

3. Coordination of the operations of the terrestrial repeaters shall be completed with all affected Administrations prior to operation, in accordance with all applicable international agreements including those with Canada and Mexico.

4. The terrestrial repeaters shall comply with Part 17 of the Commission's rules – Construction, Marking, and Lighting of Antenna Structures.

5. The terrestrial repeaters shall comply with Part 1 of the Commission's rules, Subpart I – Procedures Implementing the National Environmental Policy Act of 1969, including the guidelines for human exposure to radio frequency electromagnetic fields as defined in Sections 1.1307(b) and 1.1310 of the Commission's rules.

6. Any SDARS terrestrial repeater operating at a power level greater than 2-watt average EIRP is required to attenuate its out-of-band emissions below the transmitter power P by a factor of not less than $90 + 10 \log (P)$ dB in a 1-megahertz bandwidth outside the 2320-2345 MHz band, where P is average transmitter output power in watts. Any SDARS terrestrial repeater operating at a power level equal to or less than 2-watt average EIRP is required to attenuate its out-of-band emissions below the transmitter power P by a factor of not less than $75 + 10 \log (P)$ dB in a 1-megahertz bandwidth outside the 2320-2345 MHz band, where P is average transmitter output power in watts.

7. These STAs expire after 180 days, or on the date that permanent authority to operate the covered repeater operations becomes effective, whichever occurs first.

8. Sirius XM is granted 30 days from the date of the release of this authorization to decline the authorization as conditioned. Failure to respond within that period will constitute formal acceptance of the authorization as conditioned.

9. This action is taken on delegated authority pursuant to 47 C.F.R. § 0.261 and is effective upon release. Petitions for reconsideration under 47 C.F.R. § 1.106 or applications for review under 47 C.F.R. § 1.115 may be filed within 30 days of the date of the Public Notice announcing this action.



*with conditions

File # see above.

Call Sign _____ Grant Date 09/15/10
(or other identifier)

From 09/15/10 Term Dates see
To: conditions

Approved: Stephen J. Duall
Stephen J. Duall
Chief, Satellite Policy Branch

Ms. Marlene H. Dortch
December 18, 2003
Page 2

to demonstrate the capability of satellite Digital Audio Radio Service (“satellite DARS”) to consumers. Sirius has not changed technical parameters for the signal boosters since the original grant of the STA, and is not requesting modification of any of those parameters.

Sirius jointly owns each in-store signal booster with XM Radio, Inc. (“XM”), who operates these signal boosters in its adjacent licensed frequency band (2332.5-2345 MHz). Sirius notes that XM is filing concurrently an application for an extension of its STA to operate these signal boosters. Thus, upon approval from the Commission, these signal boosters will be authorized to continue to amplify the signals of both satellite DARS licensees.

This STA will serve the public interest by allowing Sirius to continue to provide a clear signal for reception by satellite DARS receivers located within retail outlets, which is necessary to market effectively satellite DARS to consumers. As Sirius noted in its original request, it is often difficult to provide quality reception of satellite DARS signals inside of retail outlets due to blockage from walls and ceilings. Without the in-store boosters, satellite DARS radios would need to be displayed with hard wire connections, conveying the impression to consumers that satellite DARS is not a completely mobile service. Eliminating the need for a hard wire connection has also provided retail outlets with more flexibility in displaying satellite DARS radios, allowing display in any area of the stores, including high traffic areas. The in-store boosters also enable reception in adjacent installation bays where satellite DARS radios are installed in vehicles, thus obviating the need for vehicles to be moved outside of the installation bay in order to test for proper reception. This has resulted in time-saving efficiencies for installers and ensured that vehicles are returned to consumers with fully functioning satellite DARS radios.

A few thousand boosters are currently operating and have not caused any interference to other radio services. Sirius wishes to emphasize that these boosters are not terrestrial repeaters,³ operate at EIRPs which cannot cause interference, and

³ As used in satellite DARS systems, repeaters perform a change in modulation and operate at EIRPs over ten million times higher than the subject boosters.

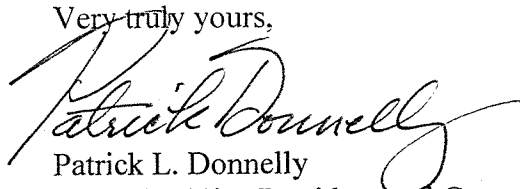
Ms. Marlene H. Dortch
December 18, 2003
Page 3

have previously been furnished to the FCC Laboratory for testing. We see no reason why the Commission cannot immediately grant a blanket license for these devices.

Sirius will continue to comply with the conditions the Commission imposed on Sirius in granting it STA to operate in-store signal boosters. These conditions and Sirius's current technical parameters have provided sufficient protection to other radio services. Therefore, prompt grant of Sirius's renewal request will serve the public interest and allow for the continued marketing of satellite DARS to consumers.

Please direct any questions regarding this matter to the undersigned.

Very truly yours,



Patrick L. Donnelly
Executive Vice President and General Counsel
Sirius Satellite Radio Inc.

cc: Stephen Duall

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

Approved by OMB
3060-0589
Page: 1 of 1


(1) LOCK BOX # 358210		SPECIAL USE ONLY	
		FCC USE ONLY	
SECTION A - PAYER INFORMATION			
(2) PAYER NAME (if paying by credit card enter name exactly as it appears on the card) Wiley Rein & Fielding		(3) TOTAL AMOUNT PAID (U.S. Dollars and cents) \$2,435.00	
(4) STREET ADDRESS LINE NO. 1 1776 K Street, NW			
(5) STREET ADDRESS LINE NO. 2			
(6) CITY Washington		(7) STATE DC	(8) ZIP CODE 20006
(9) DAYTIME TELEPHONE NUMBER (include area code) 202-719-7000		(10) COUNTRY CODE (if not in U.S.A.)	
FCC REGISTRATION NUMBER (FRN) REQUIRED			
(11) PAYER (FRN) 0002-1517-44		(12) FCC USE ONLY	
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C) COMPLETE SECTION BELOW FOR EACH SERVICE. IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET			
(13) APPLICANT NAME Sirius Satellite Radio Inc.			
(14) STREET ADDRESS LINE NO. 1 1221 Avenue of the Americas			
(15) STREET ADDRESS LINE NO. 2 36th Floor			
(16) CITY New York		(17) STATE NNY	(18) ZIP CODE 10020
(19) DAYTIME TELEPHONE NUMBER (include area code) 212-584-5100		(20) COUNTRY CODE (if not in U.S.A.)	
FCC REGISTRATION NUMBER (FRN) REQUIRED			
(21) APPLICANT (FRN) 0006-3457-30		(22) FCC USE ONLY	
COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET			
(23A) CALL SIGN/OTHER ID	(24A) PAYMENT TYPE CODE CXW	(25A) QUANTITY 1	
(26A) FEE DUE FOR (PTC) \$2,435.00	(27A) TOTAL FEE \$2,435.00	FCC USE ONLY	
(28A) FCC CODE 1	(29A) FCC CODE 2		
(23B) CALL SIGN/OTHER ID	(24B) PAYMENT TYPE CODE	(25B) QUANTITY	
(26B) FEE DUE FOR (PTC)	(27B) TOTAL FEE	FCC USE ONLY	
(28B) FCC CODE 1	(29B) FCC CODE 2		
SECTION D - CERTIFICATION			
CERTIFICATION STATEMENT I, <u>Amy E. Bender</u> , certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief.			
SIGNATURE <u>Amy E. Bender</u>		DATE <u>12/19/03</u>	
SECTION E - CREDIT CARD PAYMENT INFORMATION			
ACCOUNT NUMBER <u>447091618776038</u> MASTERCARD <input type="checkbox"/> VISA <input checked="" type="checkbox"/> AMEX <input type="checkbox"/> DISCOVER <input type="checkbox"/> EXPIRATION DATE <u>5/05</u>			
I hereby authorize the FCC to charge my credit card for the service(s)/authorization herein described.			
SIGNATURE <u>Heather Dixon</u>		DATE <u>12/19/03</u>	

ANTI-DRUG ABUSE ACT CERTIFICATION

The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853a, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. § 1.2002(b).

Yes

No

Name of Applicant Sirius Satellite Radio Inc.	Signature 
Date <i>December 19, 2003</i>	Title Executive Vice President and General Counsel